

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DANIEL LEE COOK,

Petitioner,

v.

MARCY STROUD,

Respondent.

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No. 4:23-cv-00004 SRC

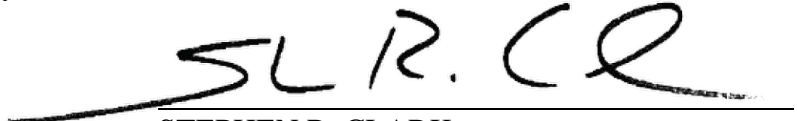
Memorandum and Order

Self-represented petitioner Daniel Lee Cook filed a “Petition for Relief from a Conviction or Sentence by a Person in State[] Cust[o]dy,” which the Court construes as a petition for writ of habeas corpus under 28 U.S.C. § 2254. Doc. 1. Petitioner is challenging a judgment that arose in Johnson County, Iowa, which is located in the Southern District of Iowa, Davenport Division. *See* 28 U.S.C. § 95(b)(5). Petitioner is incarcerated at Mt. Pleasant Correctional Facility in Henry County, Iowa, which is also located in the Southern District of Iowa. *See id.* § 95(b)(2). Consequently, under 28 U.S.C. § 2241(a), venue is proper in the Southern District of Iowa.

When a case is filed in the wrong venue, a district court may, in the interest of justice, transfer such action to any other district court in which such action could have been brought under 28 U.S.C. § 1406(a). The Court finds that it would be in the interest of justice to transfer the instant case to the United States District Court for the Southern District of Iowa, Davenport Division.

Accordingly, the Court directs the Clerk to transfer this action to the United States District Court for the Southern District of Iowa, Davenport Division, pursuant to 28 U.S.C. § 1406(a).

Dated this 9th day of January, 2023.



STEPHEN R. CLARK
CHIEF UNITED STATES DISTRICT JUDGE